

A photograph of a large, intense fire with thick black smoke billowing upwards. The flames are bright orange and yellow, and the smoke is dark and dense. The fire appears to be consuming a large pile of material, possibly tires, as suggested by the text.

TIRE SURVEILLANCE and INVESTIGATION TRAINING

California's Waste Tire Situation

- 37 million waste tires generated each year
- 2 million tires are imported from other states

What Happens to Waste Tires?

- 28.5 million tires are annually diverted from landfills to be recycled: reuse, retreads, recycled, or combustion
- 10.5 million are landfilled or *illegally* dumped

What's the Problem With Waste Tires?

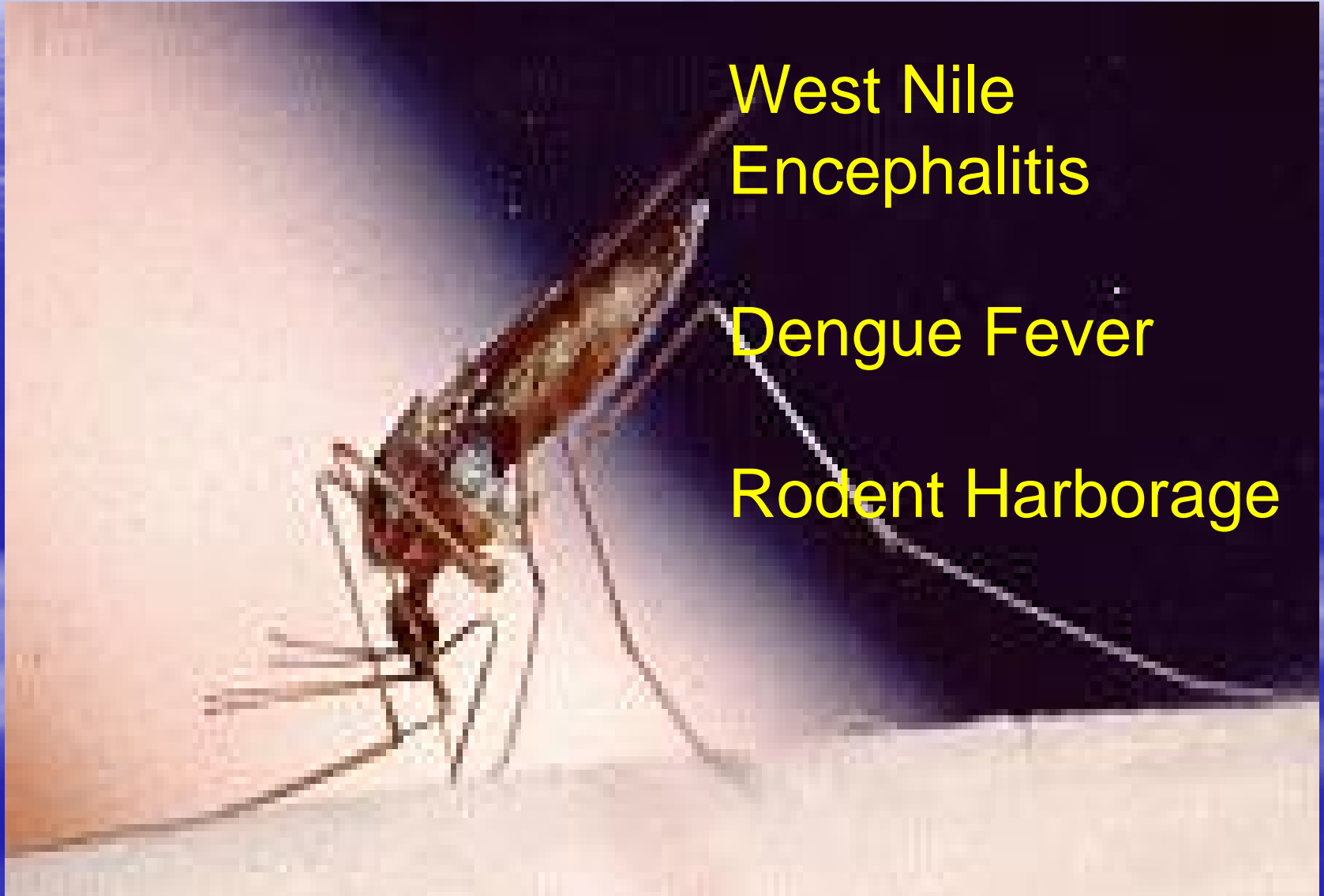
Fire Hazard

Toxic Smoke

Environmental Degradation



Vector Breeding



West Nile
Encephalitis

Dengue Fever

Rodent Harborage

Public Nuisance

Eye-sore

Attractive nuisance

Costly clean-up





CITY OF FRESNO

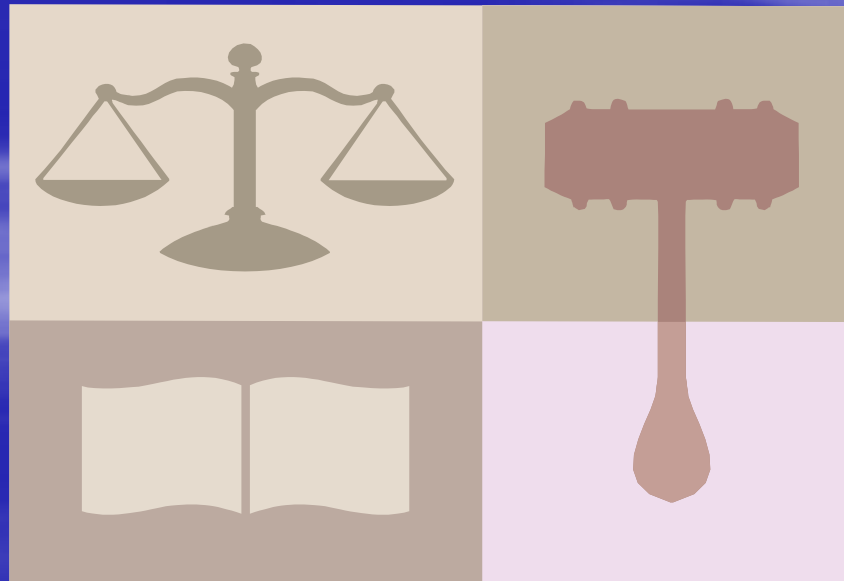
CODE ENFORCEMENT DIVISION

Surveillance and
Investigations
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Illegal Dumping Investigations



Illegal Dumping Investigations

- o In 2003, the Illegal Dumping team was formed after a (major) illegal dumping case resulted in a \$37,000 clean up by Code Enforcement Division.
- o Team consists of 2 full time Investigators working closely with Law Enforcement staff.
- o Since 2003, Investigators have addressed between 600-1000 violators.
- o Investigations have included State and Federal agencies.

How serious is illegal dumping?

- Several 1000 cubic yards of illegally dumped materials have been addressed
- Over 85% of illegal dumping violators are on felony probation or parole for violent offenses
- Since 2003, several hundred citations have been issued
- Investigations may range from 1 week and/or up to 1 year

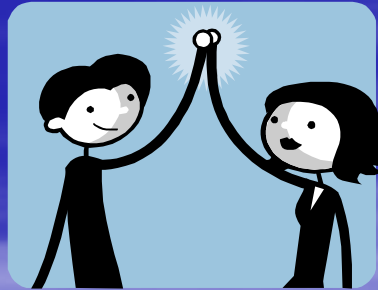


Why Surveillance?

- Important enforcement component of illegal dumping program
- Without enforcement there is continual cleanup
- City of Fresno is committed to reducing illegal dumping by implementing program which includes:
 - Education
 - Enforcement
 - Investigation/Surveillance

Working with your Partners

- Most important aspect of surveillance
- Establishing communication with all agencies can help the program succeed



Agencies

- Law Enforcement
- District Attorneys Office/City Attorney/County Counsel
- Code Enforcement
- Fire Department/Hazmat
- Environmental Task Forces
- Public Works
- Community Groups

Law Enforcement

- Let them know your activity--where and when you are working, who or what you are watching
- Set up method for assistance if it's required; vehicle stop, suspect interview, criminal background check , etc.
- Educate Law enforcement on Codes, Regulations, and Statutes applicable to your work
- Good source for complaints

District/City Attorney

DISTRICT

- Review complaint for successful prosecution
- Review complaint for follow-up investigation
- Review complaint for warrant
- Obtain source of contact for future reference

CITY ATTORNEY/COUNTY COUNSEL

- Review complaint for criminal prosecution
- Review complaint for administrative prosecution
- Review enforcement actions for liability and legal questions

Code Enforcement

- Know local zoning requirements
- Source of complaints and known dumping areas

Using Code Enforcement

- Illegal auto repair generating and illegal dumping of tires
- Code Enforcement stops activity via zoning enforcement such as illegal repair shops which generate waste tires
- Local/State codes can limit storage and business operations



Fire Department/Hazmat

- Hazardous waste – safety/expertise
- Personnel in place to assist with the investigation and prosecution
- Clean-up of materials via in place grants



Environmental Task Forces

- Attend local Environmental Task Force meetings
- Let Task Force Agencies know of planned activities
- Prepares other jurisdictions in the event problem shifts to another area
- [http://www.calepa.ca.gov/Enforcement/Task Force/](http://www.calepa.ca.gov/Enforcement/TaskForce/)

Public Works

- Identify frequent dumping locations
- Remove hazardous conditions
- Clean-up when unable to locate source of dumping
- Provide heavy equipment for major cleanups

Community Groups and Neighbors

- Excellent source of complaints and information/networking
- Public outreach/education
- Provide alert when suspect under surveillance is active

Illegal Dumping Codes

- Know Municipal codes; Penal Codes
- Infraction-VC 31560-PRC 42956 Hauling tires without Registration
- Misdemeanor, fine and sentence in county jail Penal Code Section 374.3(h)(1); criminal act for dumping commercial quantities of waste
- Felony- (dumping hazardous material PC section 374.8.(b))

Surveillance Locations?

- How to Identify problem areas;
- Complaints/CI information
- Proactive patrol
- Networking/referral from other agencies/community groups



Complaints

- Complaints are always confidential
- Get as much information as possible from reporting party; who, what, when, where, why
- Check out ASAP- document what has been dumped
- If complaint on individual coordinate with law enforcement; ensure suspect is not already being watched; check suspects background for safety

Proactive Patrols

- Actively survey community to identify:



- Illegally dumped material



- Individuals who may dump (hauling tires or rubbish at odd hours) etc.



Equipment

- City Identification
- Pens/paper/code sections
- Cameras, video and still
- Suitable vehicle for surveillance
- Communication device, radio, cell phone
- Binoculars with stabilizer
- Night vision scopes adaptable to video recording devices
- Jacket (RAID) identifying yourself

Surveillance of Area

- Location/area where active illegal dumping is occurring
- Communicate with law enforcement for patrol information
- Canvass neighborhood, know your environment
- Determine likely entrance and exit point of dumper
- Have reporting party call ASAP if dumper is seen
- Actively seek out information/witnesses
- Survey material dumped and set up near-by targets for surveillance
- Watch area during times dumping likely to occur (man on)
- Set up video camera
- Watch for counter surveillance



Illegal Dumping Violations



Surveillance Safety

- Always let someone know where you are; check in at intervals
- Work in pairs or with law enforcement
- Know your escape routes/equipment
- Use instincts; if it doesn't feel right leave
- Use info from background check
- Know your limitations/liabilities
- Be familiar with your surroundings
- Develop a plan of action
- Safety first and foremost

Surveillance of Individual

- Individual identified by informant/complainant, or as possible source for material dumped
- Use law enforcement for background check, wanted? Past criminal history
- Check with State Parole Board for possible active parole or probation
- Using info in complaint try to locate vehicle/home
- Run license plate/utility bill
- Locate home owner or who suspect or target is associated with
- Photo documentation of suspects vehicle

Surveillance/Dumping

- Make sure all equipment is present and working
- Set up surveillance/know your limitations
- Video tape illegal dumping
- Call law enforcement; make stop
- When safe, show officer video tape or give officer statement about what occurred
- Have officer write citation/or get vital info for you
- Use PC 837 “Arrest by Private Person”
- Write Criminal Complaint/refer to DA for prosecution

Surveillance Training Videos





Prosecution



Administrative

- \$500/ 1st violation
- \$1000/ 2nd violation
- \$1500/ 3rd violation
 - + 3x abatement costs

Criminal

- 1 year in County jail
 - And/or up to \$1000 fine
 - And cost of abatement
 - Misdemeanor offense
 - + vehicles towed w/ impound fees



Code Enforcement Investigation

☐ Benefits include:

- ☐ Reduction of millions of dollars of illegally dumped materials which is abated each year
- ☐ Reduce the illegal business practices of unlicensed commercial haulers
- ☐ Assist Law Enforcement officials with criminal activity
- ☐ Prosecute violators and pro-actively conduct surveillance to eliminate blight to city and illegal dumping

Suggested Training For Surveillance Program

- PC832 – Powers of arrest
 - Communications/report writing/administration of justice
 - Officer safety
 - Operation of equipment

- Surveillance Training
 - Video Taping
 - Surveillance of individuals/locations
 - Counter surveillance
 - Following suspects
 - Officer safety
 - Report writing

Case Study Franks Tires

- Information received from a confidential informant
- Joint inspection with Lew Elliott from CIWMB Waste Tire Program
- Began conducting periodic covert spot checks of the business
- Documentation for intelligence purposes
- Found targets vehicle behind business completely loaded with tires in violation of State Hauler regulations
- Set up surveillance to substantiate legal or illegal activity
- Observed target enter vehicle and depart the business

Franks Tires Continuation

- Maintained surveillance and obtained video footage
- Became separated from the target due to traffic conditions
- Reestablished surveillance at the target business
- Target returned for another load
- Maintained surveillance as the vehicle departed
- Vehicle arrived at America's Tires in North Fresno where the targets began unloading in their tire storage area
- Once determining illegal activity, police department was contacted for assistance
- Suspects eventually stopped and arrested for illegal tire disposal

Frank's Surveillance Video

